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EXAMINER

KANG, INSUN

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 12/22/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,023

Applicant(s)

KUDUKOLI ET AL.

Examiner

Insun Kang

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to:
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

1. This action is responding to application papers dated 12/20/00 and 4/6/01.
2. Claims 1-64 are pending and examined.

Double Patenting

4. Claims 1-64 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over copending applications U.S. Patent No. 09/595003 and 09/518,492. Although the conflicting claims are not identical, they are not patentably distinct from each other because: application 09/595003 claims 1-6, 8-15, 17-23, 29-40, 42, and 47-64 generating a graphical program (09/595003; claim 1), receiving information (claim 2), manual user input, block diagram (claim 11), algorithm, prototype (claim 4, 6), user interface panel (claim 11), etc. Application 09/518,492 claims 1-8 and 14-64 generating a graphical program without user input ('492; claim 67, 68, 138, 139, 160, 165, 166), virtual instrument (claims 71, 142), user interface portion (claims 70, 141), block diagram (claims 70 and 141), displaying output (claims 74, 144), invoking node (claims 113, 114), modifying the existing graphical program (claims 115, 137), property node (claims 126-129), API (claims 151, 155), etc.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Oath/Declaration

5. A new oath or declaration is required because the provisional application number is incorrect. The correct provisional application number should be 60/149,942.

The wording of an oath or declaration cannot be amended. If the wording is not correct or if all of the required affirmations have not been made or if it has not been properly subscribed to, a new oath or declaration is required. The new oath or declaration must properly identify the application of which it is to form a part, preferably by application number and filing date in the body of the oath or declaration. See MPEP §§ 602.01 and 602.02.

Specification

6. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

7. The abstract of the disclosure is objected to because the first sentence of the abstract is not in narrative form. The use of the verb "may" is not specific enough concerning the invention's function. It should be stated in a more definitive manner.

Also, the abstract exceeds 150 words in length. Correction is required. See MPEP § 608.01(b).

8. The use of the trademark JAVA and PASCAL has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

9. The specification is objected to because the Provisional application number cited on page 1 is incorrect. The correct Provisional application number should be 60/149,942.

Claim Objections

10. Claim 44 is objected to because of the following informalities: In line 15, "wherein the property node receives as input the reference" should be corrected to "wherein ...receives the reference as input to the graphical program object." Appropriate correction is required.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 1-23 and 29-64 are rejected under 35 U.S.C. 102(b) as being anticipated by Kodosky et al. (US 5,732,277)

Regarding claim 1, Kodosky et al. disclose: A computer-implemented method for programmatically generating a new graphical program ("computer-generated display of a completed block diagram ... This block diagram is the graphical program representing the instrument's operation," col 16, lines 61-67) comprising: executing a graphical program generation (GPG) program ("advantageously permits the implementation of a system in which execution instructions can be constructed in a graphical fashion.... the execution instructions can be constructed in response to the construction of a block diagram comprising the graphical display (col 13, lines 40-62)"; The execution subunit executes execution instructions which are constructed in response to the graphical images produced by a user to model a process(col 46, lines 48-61)"; See also col 3, lines 56-60; col 8, lines 3-12; col 17, lines 36-41); the GPG program receiving information, wherein the information specifies functionality of the new graphical program ("the control information is assigned according to the control functionality associated with the object ... (col 2, lines 63-67)"; " Including a finite state behavior with object definition allows a user to easily designate the specific information of an

application program that operates upon object(s) defined by the user (col 4, lines 28-39)"; the GPG program programmatically generating the new graphical program in to response to said information specifying the functionality of the new graphical program, wherein the new graphical program implements the specified functionality ("An executable program is generated in response to the data flow diagram...the executable functions may include user defined functions that have been generated using the method for programming. In this manner, a hierarchy of procedures is implemented, each represented by a data flow diagram (abstract)"; see also col 25, lines 15-37; col 31, lines 41-46).

Regarding claim 2, Kodosky et al. disclose: The method of claim 1, wherein said programmatically generating the new graphical program creates the new graphical program without any user input specifying the new graphical program during said creating ("computer-generated display of a completed block diagram ... This block diagram is the graphical program representing the instrument's operation," col 16, lines 61-67).

Regarding claim 3, Kodosky et al. disclose: The method of claim 1, wherein the new graphical program comprises a plurality of interconnected nodes that visually indicate functionality of the new graphical program (abstract; col 8, lines 23-41; col 14, lines 19-24, col 16, lines 63-67).

Regarding claim 4, Kodosky et al. disclose: The method of claim 1, wherein the new graphical program comprises a block diagram portion comprising a plurality of interconnected nodes (col 14, lines 19-24; abstract) and a user interface portion (col 2, lines 54-62; col 8, lines 23-41) wherein said programmatically generating the new graphical program includes generating the block diagram portion and the user interface portion (col 8, lines 23-41).

Regarding claim 5, Kodosky et al. disclose: The method of claim 1, wherein said programmatically generating the new graphical program comprises: creating a plurality of graphical program objects in the new graphical program (col 13, lines 63-67; col 14, lines 19-24) and interconnecting the plurality of graphical program objects in the new graphical program (col 14, lines 19-24) wherein the interconnected plurality of graphical program objects comprise at least a portion of the new graphical program (col 13, lines 63-67; col 14, lines 19-24; col 16, lines 61-67; col 17, lines 1-6).

Regarding claim 6, Kodosky et al. disclose: The method of claim 1, wherein said programmatically generating the new graphical program comprises: creating one or more user interface objects in the new graphical program (col 2, lines 54-62; col 8, lines 23-41), wherein the one or more user interface objects perform one or more of providing input to or displaying output from the new graphical program (col 8, lines 23-41).

Regarding claim 7, Kodosky et al. disclose: The method of claim 1, wherein the new graphical program is a virtual instrument (col 8, lines 23-25).

Regarding claim 8, Kodosky et al. disclose: The method of claim 1, wherein the GPG program is a graphical program (col 16, lines 63-67; col 46, lines 56-61).

Regarding claim 9, Kodosky et al. disclose: The method of claim 1, wherein the information received by the GPG program specifies a computational process; wherein the GPG program is operable to generate a new graphical program that implements the specified computational process (col 11, lines 27-43; col 10, lines 31-57).

Regarding claim 10, Kodosky et al. disclose: The method of claim 1, wherein the information received by the GPG program specifies an algorithm; wherein the GPG program is operable to generate a new graphical program that implements the specified algorithm. Algorithm is a finite set of well-defined rules, procedures, or instructions for the solution of a problem. Kodosky et al. disclose, "It also includes an editor for displaying at least one diagram and for constructing execution instructions. The diagram graphically displays a procedure by which the one or more input variables can produce the one or more output variables (col 3, lines 38-62)." Therefore, accordingly, Kodosky et al. anticipate this claim. See also col 46, lines 40-67; col 47, lines 1-5; col 26, lines 29-32.

Regarding claim 11, Kodosky et al. disclose: The method of claim 1, wherein the information received by the GPG program specifies a state diagram; wherein the GPG program is operable to generate a new graphical program that implements the specified state diagram (col 37, lines 60-67; col 38, lines 1-11).

Regarding claim 12, Kodosky et al. disclose: The method of claim 1, wherein the information received by the GPG program specifies a prototype; wherein the GPG program is operable to generate a new graphical program that implements the specified prototype (col 3, lines 38-62 ;col 46, lines 40-67; col 47, lines 1-5; c01 26, 29-32).

Regarding claim 13, Kodosky et al. disclose: The method of claim 1, wherein the information received by the GPG program specifies a test executive sequence (col 16, lines 50-60); wherein the GPG program is operable to generate a new graphical program that implements the specified test executive sequence (col 38, lines 41, lines 55; col 16, lines 50-60).

Regarding claim 14, Kodosky et al. disclose: The method of claim 1, wherein said GPG program receiving information comprises the GPG program receiving user input specifying desired functionality of the new graphical program ("the executable functions may include user defined functions that have been generated using the method for programming (abstract)"; wherein the GPG program is operable to generate a new graphical program that implements the specified desired functionality

("the executable functions may include user defined functions that have been generated using the method for programming. In this manner, a hierarchy of procedures is implemented, each represented by a data flow diagram (abstract)"; see also col 8, lines 23-41).

Regarding claim 15, Kodosky et al. disclose: The method of claim 14, wherein the GPG program comprises a graphical programming development environment application (col 7, lines 66-67; col 8, lines 1-22).

Regarding claim 16, Kodosky et al. disclose: The method of claim 1, wherein the information received by the GPG program specifies an instrumentation function (col 30, lines 39-54); wherein the GPG program is operable to generate a new graphical program that implements the specified instrumentation function (col 31, lines 31-46).

Regarding claim 17, Kodosky et al. disclose: The method of claim 16, wherein the instrumentation function comprises one or more of: a test and measurement function; or an industrial automation function (col 16, lines 50-60; col 17, lines 18-27).

Regarding claim 18, Kodosky et al. disclose: The method of claim 1, wherein the information received by the GPG program comprises information regarding an existing program having program functionality (col 28, lines 35-50); wherein the GPG program is operable to generate a new graphical program that implements at least a portion of

the program functionality of the existing program (col 42, lines 41-49; col 18, lines 5-16; col 14, lines 25-44).

Regarding claim 19, Kodosky et al. disclose: The method of claim 18, wherein the existing program is a graphical program (col 28, lines 35-50; col 18, lines 5-17; col 39, lines 63-67; col 40, lines 1-3).

Regarding claim 20, Kodosky et al. disclose: The method of claim 1, wherein the GPG program is operable to generate a plurality of new graphical programs, depending on the received information (col 18, lines 5-16)

Regarding claim 21, Kodosky et al. disclose: The method of claim 1, wherein the new graphical program generated by the GPG program has program functionality; wherein the GPG program is operable to determine at least a portion of the program functionality independently of the received information (col 30, lines 55-67; col 31, lines 1-13; col 11, lines 19-26; col 32, lines 12-24; col 11, lines 53-60; col 20, lines 38-44).

Regarding claim 22, Kodosky et al. disclose: The method of claim 1, wherein the GPG program is operable to generate the new graphical program such that the new graphical program implements additional functionality in addition to the functionality specified by the received information (col 22, lines 65-67; col 23, lines 1-2).

Regarding claim 23, Kodosky et al. disclose: The method of claim 1, wherein the new graphical program comprises graphical program code; wherein the GPG program is operable to receive code generation information specifying how to generate at least a portion of the graphical program code (col 32, lines 25-29; col 33, lines 8-19; col 33, lines 35-45).

Regarding claim 29, Kodosky et al. disclose: The method of claim 1, further comprising: executing the new graphical program; wherein the new graphical program is operable to perform the specified functionality during execution (abstract; see the rejection of claim 1 above)

Regarding claim 30, Kodosky et al. disclose: The method of claim 1, wherein the new graphical program implements only a portion of the specified functionality (col 8, lines 42-54; col 18, lines 30-52; col 21, lines 56-65; col 28, lines 35-50; col 30, lines 7-21).

Regarding claim 31, Kodosky et al. disclose: The method of claim 1, wherein the new graphical program is a partial program ("The virtual instrument ... includes a front panel ... Which permits interactive use of the virtual instrument ... by a user (col 8, lines 23-41)"; "This capability allows the user to construct a hierarchy of virtual instruments by including previously implemented virtual instruments as "part" in a new instrument (col 28, lines 35-58; See also col 14, lines 45-51; col 17, lines 36-41)," the

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method further comprising: adding additional graphical code to the new graphical program, in response to manual user input, in order to complete the new graphical program (col 28, lines 35-58; col 46, lines 40-61).

Regarding claim 32, see the rejection of claim 5 above.

Regarding claim 33, see the rejection of claim 3 above.

Regarding claim 34, Kodosky et al. disclose: The method of claim 32, wherein the new graphical program includes a block diagram, wherein the at least one graphical program object comprises a programmatic structure placed in the block diagram. Kodosky et al. disclose one of programmatic structures, loop structure ("A sequence structure or a conditional structure contains one or more sub-diagrams and an iterative loop structure or indefinite loop structure contains exactly one diagram. Line 8m indicates that an instrument use node is used to reference another virtual instrument... Line 8u indicates that each object of the node class contains a multiplicity of terminals." See col 14, lines 25-44).

Regarding claim 35, Kodosky et al. disclose: The method of claim 32, wherein the new graphical program includes a user interface panel, wherein the at least one graphical program object comprises a user interface object placed in the user interface panel (col 18, lines 5-17; col 28, lines 34-50).

Regarding claim 36, Kodosky et al. disclose: The method of claim 35, wherein the user interface object is a user interface input object placed in the user interface panel for performing one or more of: viewing input to the new graphical program; or providing input to the new graphical program (col 40, lines 25-36).

Regarding claim 37, Kodosky et al. disclose: The method of claim 35, wherein the user interface object is a user interface output object placed in the user interface panel for viewing output of the new graphical program (col 40, lines 25-36; col 8, lines 23-41; col 31, lines 31-46; col 39, lines 41-45).

Regarding claim 38, Kodosky et al. disclose: The method of claim 35, wherein the new graphical program also includes a block diagram, wherein the user interface object is a user interface input object placed in the user interface panel for performing one or more of: viewing input to the block diagram; or providing input to the new graphical program(col 18, lines 5-17; col 28, lines 34-50).

Regarding claim 39, see the rejection of claim 37 above.

Regarding claim 40, Kodosky et al. disclose: The method of claim 1, wherein said programmatically generating the new graphical program comprises: including a first graphical program object and a second graphical program object in the new graphical

program and connecting the first graphical program object to the second graphical program object (col 27, lines 1-38).

Regarding claim 41, Kodosky et al. disclose: The method of claim 40, wherein said connecting the first graphical program object to the second graphical program object comprises connecting an input of the first graphical program object to an output of the second graphical program object (col 10, lines 31-57; col 29, lines 17-22; col 31, lines 31-46, lines 55-67; col 46, lines 40-61).

Regarding claim 42, Kodosky et al. disclose: The method of claim 1, wherein the GPG program is a graphical program (See the rejection of claim 8 above) wherein the GPG program includes at least one object creation node for programmatically creating at least one graphical program object in the new graphical program; wherein said generating the new graphical program comprises including the at least one graphical program object in the new graphical program (See the rejection of claims 6, 32, 34, 38, and 40 above).

Regarding claim 43, Kodosky et al. disclose: The method of claim 42, wherein the GPG program further includes a property node, the method further comprising: the property node getting or setting a property of the graphical program object in response to said executing the GPG program (col 13, lines 63-67; col 21, lines 26-30; col 24, lines 30-55; col 35, lines 20-30).

Regarding claim 44, Kodosky et al. disclose: The method of claim 43, wherein the object creation node outputs a reference to the graphical program object; wherein the property node receives as input the reference to the graphical program object; wherein the property node gets or sets a property of the graphical program object specified by the reference to the graphical program object (col 46, lines 40-61; col 16, lines 10-29; col 35, lines 20-30; col 35, lines 65-67; col 36, lines 1-14).

Regarding claim 45, Kodosky et al. disclose: The method of claim 42, wherein the GPG program further includes an invoke node; the method further comprising: the invoke node invoking a method on the graphical program object in response to said executing the GPG program (col 9, lines 57-64; col 35, lines 44-64; col 36, lines 15-20; col 37, lines 9-24).

Regarding claim 46, Kodosky et al. disclose: The method of claim 45, wherein the object creation node outputs a reference to the graphical program object; wherein the invoke node receives as input the reference to the graphical program object; wherein the invoke node invokes a method on the graphical program object specified by the reference to the graphical program object (col 46, lines 40-61).

Regarding claim 47, Kodosky et al. disclose: The method of claim 42, further comprising: configuring the object creation node of the GPG program; wherein said configuring comprises specifying a graphical program object class for the object creation node; wherein the at least one graphical program object included in the new

graphical program is of the graphical program object class (col 17, lines 36-41; col 9, lines 32-44; col 13, lines 63-67; col 29, lines 23-57).

Regarding claim 48, see the rejection of claims 8 and 42.

Regarding claim 49, Kodosky et al. disclose: A computer-implemented method for programmatically modifying an existing graphical program, comprising: executing a GPG program; the GPG program receiving information during program execution, wherein the information specifies functionality to add to the existing graphical program; the GPG program programmatically modifying the existing graphical program in order to implement the specified functionality, in response to receiving the information (col 18, lines 5-16; col 28, lines 35-50; col 39, lines 15-25; col 39, lines 41-44; col 39, lines 15-25) .

Regarding claim 50, Kodosky et al. disclose: The method of claim 49, wherein said modifying the existing graphical program comprises adding graphical code to the existing graphical program (col 33, lines 46-58; col 22, lines 65-67; col 41, lines 66-67; col 42, lines 1-4; col 40, lines 25-36; col 42, lines 40-49).

Regarding claim 51, Kodosky et al. disclose: The method of claim 49, wherein said programmatically modifying the existing graphical program modifies the existing

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graphical program without any user input specifying the modification to the existing graphical program during said modifying (col 28, lines 60-65; col 29, lines 1-8). Also, see the rejection of claim 2.

Regarding claim 52, see the rejection of claim 14 above.

Regarding claims 53, 56, and 60, see the rejection of claim 1 above.

Regarding claims 54, 57, and 61, see the rejection of claim 2 above.

Regarding claims 55, 58, and 62, see the rejection of claim 3 above.

Regarding claims 59 and 63, see the rejection of claim 4 above.

Regarding claim 64, see the rejection of claim 5 above.

Claim Rejections - 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

14. Claims 1, 53, 56, 60, and 24-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Uczekaj et al. (US 5,920,718).

Regarding claim 1, Uczekaj et al. disclose: A computer-implemented method for programmatically generating a new graphical program ("A display state diagram button ... located in the button bar of graphical interface tool window ... when activated, allows a user to view a state diagram for the class defined. The information entered into the windows associated with the graphical interface tool window ... is stored in a GUI model that includes structures, linked list, etc. A display generator retrieves the control information stored in the GUI model and displays it in a predefined location on the display for presenting a state diagram, i.e., state names are displayed in ovals representing object states (col 10, lines 7-22)") comprising: executing a graphical program generation (GPG) program (col 2, lines 36-50; col 14, lines 6-28); the GPG program receiving information, wherein the information specifies functionality of the new graphical program ("Including a finite state behavior with object definition allows a user to easily designate the specific information of an application program that operates upon object(s) defined by the user. The graphical interface tool, which is user friendly, allows a user to enter objects with state information and, based on the entered information, generates application shell code (col 4, lines 24-39)"; see also col 3, lines 25-47); the GPG program programmatically generating the new graphical program in to response to said information specifying the functionality of the new graphical program, wherein the new graphical program implements the specified functionality ("After the user has completed entry of the information into object interface section...and object control section ..., the user can double-check the entered data specific to the object control by displaying the state diagram of the defined class....A display state diagram

button ... allows a user to view a state diagram for the class defined (col 10, lines 7-22)"; see also col 1, lines 32-48; col 4, lines 23-39).

Regarding claim 24, Uczekaj et al. disclose: The method of claim 1, wherein said GPG program programmatically generating the new graphical program comprises the GPG program calling an application programming interface (API) enabling the programmatic generation of a graphical program ("The final files created are application program interface (API) code files. The API code files provide a level of abstraction between the generated files (CORBA or RPC) and the created class information with any associated class control. The API code files allow state-based control to be directly associated with the object (col 16, lines 36-60)").

Regarding claim 25, Uczekaj et al. disclose: The method of claim 1, wherein said GPG program programmatically generating the new graphical program comprises the GPG program programmatically requesting a server program to generate the new graphical program (col 3, lines 25-33; .col 8, lines 9-23, lines 65-67; col 9, lines 1-7).

Regarding claim 26, Uczekaj et al. disclose: The method of claim 25, wherein the server program is an application instance of a graphical programming environment (col 3, lines 25- 33; col 8, lines 9-23; col 5, lines 52-67; col 6, lines 48-62).

Regarding claim 27, Uczekaj et al. disclose: The method of claim 1, wherein the GPG program comprises a client portion and a server portion; wherein the client portion is operable to utilize an application programming interface (API) in order to direct the server program to programmatically generate the new graphical program (col 16, lines 36-60).

Regarding claim 28, Uczekaj et al. disclose: The method of claim 27, wherein the client portion of the GPG program executes in a first computer system; wherein the server portion of the GPG program executes in a second computer system; wherein the first computer system is connected to the second computer system (col 4, lines 51-64; col 11, lines 19-41; col 16, lines 36-60).

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Insun Kang whose telephone number is 703-305-6465. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on 703-305-9662. The fax phone number for the organization where this application or proceeding is assigned is 703-308-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

IK
12/1/2003

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A handwritten signature in black ink, appearing to read "John Chavis", with a long horizontal flourish extending to the right.

JOHN CHAVIS
PATENT EXAMINER
ART UNIT 2124